

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 KARRI GARIS,

5 Plaintiff,

6 v.

7 GYPSUM RESOURCES MATERIALS, LLC,
8 *et al.*,

9 Defendants.

Case No. 2:16-cv-02534-APG-VCF

**ORDER ON REPORT AND
RECOMMENDATION AND
GRANTING MOTIONS TO STRIKE
AND FOR ENTRY OF CLERK'S
DEFAULT**

(ECF. Nos. 26, 28, 29)

10 On November 22, 2017, Magistrate Judge Ferenbach entered a report and
11 recommendation that I strike the answer of defendants Gypsum Resources Materials, LLC and
12 Truckee Springs Holdings, Inc. because they failed to oppose plaintiff Karri Garis's motions to
13 strike and to enter default, and because these entity defendants failed to comply with the court's
14 order that they obtain counsel and they cannot appear in court without counsel. ECF No. 29.

15 Gypsum and Truckee did not file an objection. Thus, I am not obligated to conduct a de
16 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to
17 "make a de novo determination of those portions of the report or specified proposed findings to
18 which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
19 (en banc) ("the district judge must review the magistrate judge's findings and recommendations
20 de novo *if objection is made*, but not otherwise" (emphasis in original)).

21 IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation
22 **(ECF No. 29) is accepted.**

23 IT IS FURTHER ORDERED that plaintiff Karri Garis's motion to strike the answer of
24 defendants Gypsum Resources Materials, LLC and Truckee Springs Holdings, Inc. **(ECF No. 26)**
25 **is GRANTED.**

26 IT IS FURTHER ORDERED that plaintiff Karri Garis's motion for entry of clerk's
27 default against defendants Gypsum Resources Materials, LLC and Truckee Springs Holdings,
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1 Inc. (ECF No. 28) is **GRANTED**. The clerk of court shall enter default against defendants
2 Gypsum Resources Materials, LLC and Truckee Springs Holdings, Inc.

3 DATED this 5th day of January, 2018.

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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